

Practice Direction


Perfection of Orders made in Chambers

By order of the Chief Justice and with the concurrence of the Puisne Judges of the Supreme Court, the following Practice Direction is hereby issued.

1. At all hearings in chambers before a Judge or the Master, Counsel appearing for the Applicant may bring to the hearing, a typed or printed original and at least one copy of a draft of the order sought.
2. Where the Order made by the Court is in terms of the draft, the Judge or Master shall, instead of signing a Minute of Order, sign the original draft order and the required copies. Minor handwritten amendments will be allowed. The Order may include costs recoverable pursuant to schedule A of the Rule of the Supreme Court (Attorneys-at-Law Costs) Rules, 1998.
3. Where the Order made by the Court differs substantially from the Order in the draft, the Judge or Master shall sign a Minute of Order and Counsel shall submit the Order granted to be perfected by the Registrar.
4. Orders must state whether or not Counsel appeared but need not state the names of Counsel.

5. The Clerk shall cause the Orders to be filed and sealed. The Original shall remain on the Court's file and the copies will be dispatched to the applicant in the usual manner.

DATED THIS 12<sup>th</sup> DAY OF January 1999

  
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REGISTRAR

( Ag )

PRACTICE DIRECTION

Re: Summons For Directions

Hearing Without The Attendance of the Parties

By Order of the Chief Justice and with the concurrence of the Pulsne Judges of the Supreme Court, the following Practice Direction is hereby issued:-

1. Prior to filing a Summons for Directions, an Attorney-at-Law shall indicate on the Summons, in accordance with Practice Direction dated the 14th day of September, 1973, the paragraphs being sought in the Order.
2. The Attorney-at-Law shall thereafter seek the written consent of all parties required to be served with the Summons.
3. All parties required to be served must sign at the foot of the Summons indicating whether or not there is consent to an Order being made in terms of the Summons.
4. Where all parties indicate consent to the terms of the Order sought, the Summons bearing the signed consent, together with a Consent Order in those terms, with the required number of copies thereof, shall be filed in the Registry.
5. A Judge or the Master will consider the Summons and will grant the Consent Order, where it is deemed fit, without requiring the attendance of the parties.
6. The Judge or Master may require the parties to appear where a Consent Order has been filed if the Judge or Master is of the view that the Order sought does not adequately meet the issues raised in the action.
7. Copies of the perfected Order shall be dispatched at the Registry to the party who filed the Summons.

8. Where no consent is indicated on the Summons, or no Consent Order is filed, the Summons will be given a date for hearing and must thereafter be served on the other parties in accordance with The Judicature (Civil Procedure Code) Law.

Dated this ..!!<sup>15</sup>... day of January, 1999.

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R E G I S T R A R (Am)

N.B. Summonses filed prior to January 7, 1999 and which have been issued with dates for hearing will be heard on the dates indicated on the summonses.

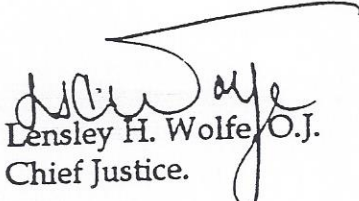
## PRACTICE NOTE

With effect from the 7th day of January, 1999, the following procedure will apply in respect of accused persons remanded in custody pending trial in the Rural Circuit Courts of the Island.

1. All Attorneys-at-Law, representing accused persons who have been remanded in custody pending trial in any of the rural Circuit Courts, shall arrange dates for the hearing of these cases with the Director of Public Prosecutions not later than two weeks before the opening of the Circuit.
2. Accused persons in Custody will be transported to the Court of Trial on a weekly basis, that is, during the week in which the case is set for hearing.
3. Attorneys-at-Law desirous of making bail applications on the opening day of the session may do so notwithstanding the absence of the accused.
4. All accused persons who are unrepresented and remanded in custody shall be brought to Court on the opening day of the Circuit.
5. The Director of Public Prosecutions shall make available to the Superintendent of the Prison in which the accused is being held and to the Superintendent of Police in charge of each parish a calendar of the cases for hearing in the particular parish.

6. Where an Attorney-at-Law is on record as appearing and fails to arrange a date of hearing in accordance with this Practice Note the Director of Public Prosecutions will set down the matter for hearing and advise the Court accordingly.

Dated this 10th day of December, 1998.

  
Lensley H. Wolfe O.J.  
Chief Justice.